



3. Due to a highly unique set of facts and circumstances related to the arbitration agreement between Gibbs and Results, Results agrees to withdraw the Motion as to Gibbs.

4. Results's agreement to withdraw the Motion as to Gibbs is not a waiver of its right to enforce the arbitration agreement against any other current or former employee who agreed to arbitration.

NOW, THEREFORE, the parties jointly request that this Court dismiss Kazmierczak from this action, withdraw the Motion as to Gibbs, and direct Results to file its answer to the Collective and Class Action Complaint [ECF 1] within 14 days of the Court's order granting the relief requested herein.

So stipulated and agreed.

Dated: January 29, 2019

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on the 29<sup>th</sup> day of January 2019 I electronically filed the foregoing with the Clerk of Court for the U.S. District Court, Northern District of Texas, Dallas Division, using the electronic case filing system of the court. The Electronic case files system sends a “Notice of Electronic Filing” to all counsel who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Claudine Jackson

Claudine Jackson